REMARKS

Claim Rejections

Claims 1, 5, 7-14, 19-23, 25, 28-31, 36-37, 41-44 and 49 stand rejected under 35 U.S.C. §103(a) as unpatentable over Karmarkar (U.S. Patent No. 7,285,048), in view of Veradej (U.S. Patent Publication No. 2003/0092489), in view of Bradford (U.S. Patent 6,709,333).

Claims 2-4, 6, 15-18, 26-27, 32-35, 39-40, 45-48 and 50-53 stand rejected under 35 U.S.C. §103(a) as unpatentable over Karmarkar, in view of Veradej, in view of Bradford, in view of Steelberg (U.S. Patent Publication No. 2003/0139190).

Claim Amendments

The independent claims have been amended to further patentably distinguish over the cited references. Support for these claim amendments may be found in Applicants' specification at, for example, paragraphs 0040, 0061, 0063, 0067, and Figure 2.

The claims have also been amended to clarify the claims and to remove "adapted" from the claims.

Claim 6 is cancelled without prejudice or disclaimer.

The Cited Art

Karmakar is directed to a remote-player virtual gaming system. Remote-player virtual gaming may be provided off of a casino premises or on a casino premises using randomly selected entertaining multimedia gaming episodes with randomly generated gaming outcomes. (Abstract.) In Karmarkar, different methods, including a retinal scan, a finger print, and a driver's license are used to verify the identity and the eligibility of a player to play a game at a remote station. (Col. 8, lines 38-46.)

Veradej is directed to an age-verification system for a gaming device. Using the system, the age of a gaming player using a remote terminal to access a gaming site on a global computer network may be verified. (Abstract.)

Bradford is directed to a biometric identification system in a gaming environment. The system uses two authenticators based on biometric data to identify a player in a gaming environment. (Abstract.)

The system in Bradford user a Biometric Device Information Manager (BDIM) to manage all transactions related to player authorization at a gaming machine. (Abstract and Col. 13, lines 9-10.) The Biometric Device Information Manager uses data from a biometric device to find an entry in a biometric database on a backend database machine to perform player authorization. (Col. 13, lines 29-33.) These backend database machines are set up according to the needs of each particular casino. (Col. 13, lines 54-66.)

Steelberg is directed to communication system for a gaming host and a remote gaming device. The system provides authenticated and secure communications between a gaming host communicating via radio frequency subcarriers to a remote user device in another location. (Abstract.)

Applicants' Invention Would Not Have Been Obvious

The following factual inquiries must be considered in any obviousness evaluation: the scope and content of the prior art, the differences between the claimed invention and the prior art, the level of ordinary skill in the pertinent art, and evidence of any secondary considerations. To establish a *prima facie* case of obviousness, it is axiomatic that the prior art, either alone or in combination, must disclose each and every element of the claimed invention. As stated in the M.P.E.P., "[t]o reject a claim. . . Office personnel must articulate the following: (1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference." M.P.E.P. §2143A.

Moreover, "[t]he rationale to support a conclusion that the claim would have been obvious is that all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination yielded nothing more than predictable results to one of ordinary skill in the art." Id. Also, some articulated reasoning with rational underpinnings must be provided to support a *prima facie* case of obviousness.

It is respectfully submitted that Applicants' claimed invention would not have been obvious in view of Karmarkar, Veradej, Bradford, and Steelberg

Applicants' claimed invention, for instance, as called for by amended claim 1, provides a method of player verification for a remote gaming terminal. One or more gaming events are

provided at a remote gaming terminal by a system via a first communication link. The system establishes one or more acceptable criteria for verifying the identity or eligibility of a player, at least one criteria being an appropriate age of the player. The system receives a request by a specific player at a remote gaming terminal to participate in a particular gaming event. If the system determines that player verification is required, the system obtains, with a verification device independent from the remote gaming terminal, personal information regarding the specific player via a second communication link during or immediately prior to the play of a wager-based game on the remote gaming terminal. The second communication link is different from the first communication link. The system then verifies, using a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events, that the personal information is adequate according the acceptable criteria. Game play is then permitted to commence or continue.

Using a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events, has advantages for a gaming operator. For example, a gaming operator or host may provide gaming events at remote terminals and provide for the verification of prospective players in a responsible manner while not being troubled with many of the problems inherent in managing an extensive remote player verification system or service. (Paragraph 0025.) As another example, if many gaming operators used such a player authentication center, data for known or registered used could be stored for further authentication for all of the gaming operators.

The Office Action cites Bradford as disclosing a third party player authentication center. (Office Action, page 8.) Bradford states that "a backend database machine" is used to store a player biometric database. (Col. 13, lines 30-33.) Bradford further describes different ways in which a casino may set up its backend machine or machines (i.e., computer systems) to store different databases and systems (e.g., a biometric database, electronic funds transfer systems, electronic funds account systems). Thus, the backend database machine in Bradford is not separate from the casino, as it is set up and run by the casino. In contrast, claim 1 recites verification being performed by "a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events." Therefore, Bradford fails to disclose or suggest a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events.

In the system described in Karmarkar, player authentication is preformed by a player accounting server, which also provides player authentication. (Col. 9, lines 23-25.) The accounting server is part of the virtual gaming system. (Col. 5, lines 48-67.) Thus, the authentication server is not separate from the casino operator. Therefore, Karmakar fails to disclose or suggest "a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events." (Claim 1.)

In Veradej, a player first registers with a registration facility associated with the gaming site by providing proof of age and a reference biometric attribute. (Abstract.) The reference biometric attribute is stored at a computer system of the registration facility that is associated with the gaming site. (Paragraph 0030.) Then, when a player plays a game at a remote terminal, a biometric attribute of the player is measured with a biometric measurement device at the remote terminal. (Abstract.) The biometric attribute and the reference biometric attribute (stored at a computer system of the registration facility that is associated with the gaming site) are compared before the player is allowed to play a game. (Id.) Thus, Veradej fails to disclose or suggest "a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events." (Claim 1.)

In Steelberg, a user may purchase a remote gaming device and then register the device with a casino 10 through a network node 20. (Paragraph 0057 and figure 2.) As part of the registration, the user must provide a personal identification number (PIN) that is used for player authentication for gaming transactions. (Id. and Abstract.) The casino 10 is able to provide data to the network node 20 for eventual communication to the remote gaming device. (Paragraph 0038.) While Steelberg never explicitly states where player authentication occurs, it presumably occurs at the casino on a system operated by the casino. Therefore, Steelberg fails to disclose or suggest "a player authentication center operated by a third party, the third party being separate from a provider of the one or more gaming events." (Claim 1.)

Since claim 1 recites features not disclosed or suggested in any of the cited references, considered alone or in combination, claim 1 would not have been obvious in view of the cited references. Independent claims 23 and 37 recite features similar to those recited in claim 1. Therefore, claims 23 and 37 would not have been obvious for at least the same reasons as claim 1. The dependent claims include, by virtue of their dependency, the features of the independent

claims on which they are based. Therefore, the dependent claims would not have been obvious for at least the same reasons as their respective independent claims.

Furthermore, to further patentably distinguish claim 1, claim 1 was amended to include the feature of "determining that player verification is required." Claims 23 and 27 were amended to recite a similar feature.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants' undersigned attorneys at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P105).

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Respectfully submitted,

Weaver Austin Villeneuve & Sampson LLP

/William J. Egan, III/
William J. Egan, III
Reg. No. 28,411

/Stephen C. Glade/
Stephen C. Glade
Reg. No. 57,601

P.O. Box 70250
Oakland, CA 94612-0250